

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Erinn White	Team: Team # 3	CCRB Case #: 201116109	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 12/15/2011 11:10 PM	Location of Incident: § 87(2)(b)	Precinct: 41	18 Mo. SOL 6/15/2013	EO SOL 6/15/2013	
Date/Time CV Reported Thu, 12/15/2011 11:50 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Thu, 12/15/2011 11:50 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Joseph Deck	08350	947736	048 PCT
2. An officer			048 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Joseph Deck	Discourtesy: Officer Joseph Deck spoke obscenely to § 87(2)(b) and § 87(2)(b)	§ 87(2)(b)
B.POM Joseph Deck	Abuse: Officer Joseph Deck refused to provide his name and shield number to § 87(2)(b)	§ 87(2)(b)
C. An officer	Abuse: An officer refused to provide his name and shield number to § 87(2)(b)	§ 87(2)(b)
D. An officer	Discourtesy: An officer spoke obscenely to § 87(2)(b) and § 87(2)(b)	§ 87(2)(b)

Case Summary

On December 15, 2011, § 87(2)(b) filed a complaint with the CCRB on the behalf of himself and his friend, § 87(2)(b) via the call processing system. On January 3, 2012, § 87(2)(b) provided a phone statement, summarized below.

On December 15, 2011 at approximately 11:10pm, two officers responded to § 87(2)(b)'s address, § 87(2)(b) in the Bronx, following a dispute with his grandmother. As a result of the dispute, § 87(2)(b) was forced to leave his residence. He went to § 87(2)(b)'s residence, in the same building, and explained what occurred. § 87(2)(b) and § 87(2)(b) returned to § 87(2)(b)'s residence to speak to the officers. § 87(2)(b) approached PO Joseph Deck of the 48th Precinct, who he identified by name and shield number, and asked for his information. PO Deck replied, "Shut the fuck up. I don't need to identify myself. Who the fuck are you?" (**Allegations A and B**). § 87(2)(b) recorded PO Deck information from his shield and nameplate. § 87(2)(b) then asked PO Deck's partner, PO1, for his information. The officer covered his shield and stated, "You wanna get punched in your face? Are you high on crack? What the fuck is wrong with you?" (**Allegations C and D**). Both officers then told § 87(2)(b) and § 87(2)(b) to "get the fuck out of here" (**within Allegations A and D**). The officers soon left the scene in their patrol vehicle.

§ 87(2)(b) could not provide identifying information for PO1. As such, Allegations A and B are pleaded against PO Deck and Allegations C and D are pleaded against "an officer" from the 48th Precinct.

In his intake statement, § 87(2)(b) provided a mailing address and contact number for himself and § 87(2)(b). On March 8, 2012, the investigator called § 87(2)(b) who scheduled an appointment for March 15, 2012. § 87(2)(b) missed this appointment and did not call prior to cancel or reschedule. On March 16, 2012 and March 19, 2012, the investigator called § 87(2)(b). On the first call, there was no answer at his home number and the investigator was unable to leave a voicemail message. The investigator called his cell phone number and it was not in service. On the second call, the investigator left a voicemail message with § 87(2)(b)'s friend, § 87(2)(b). § 87(2)(b) did not return these calls.

In addition to attempting to contact § 87(2)(b) by phone, the investigator sent § 87(2)(b) a missed appointment letter to his mailing address on March 16, 2012. As of the date of this report, this letter has not been returned by the United States Postal Service. § 87(2)(b) was also sent a missed appointment email on March 19, 2012. § 87(2)(b) did not respond to this email.

When § 87(2)(b) provided a phone statement, he confirmed that he and § 87(2)(b) lived together and § 87(2)(b) could be reached at the same number. Between December 28, 2011 and March 19, 2012, the investigator placed eight calls to the number provided by § 87(2)(b). On the first call, § 87(2)(b) answered and stated that she did not know § 87(2)(b) and that he did not live at the residence. On the fourth call, a male individual answered and stated that § 87(2)(b) no longer lived at the residence. On the second, third, and sixth calls, § 87(2)(b) stated that § 87(2)(b) lived at his residence and could be reached at the number provided, but was not at home. On all other calls, there was no answer and the investigator was unable to leave a voicemail message. A Lexis Nexis search returned an alternative contact number for § 87(2)(b). On March 26, 2012, the investigator called this number and it was no longer in service.

In addition to attempting to contact § 87(2)(b) by phone, the investigator sent letters to § 87(2)(b)'s mailing address on December 28, 2011 and March 8, 2012. As of the date of this report, these letters have not been returned by the United States Postal Service.

A search of NYC Department of Correction's inmate lookup service confirms that as of March 27, 2012, § 87(2)(b) and § 87(2)(b) are not currently incarcerated.

As a result of § 87(2)(b)'s failure to cooperate with the course of this investigation, it is § 87(2)(g)

Team: _____

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Investigator:	_____	_____	_____
	Signature	Print	Date

Supervisor:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date